
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, SOUTHERN DIVISION

KENT TERRY PRISBREY, an individual,

Plaintiff,

v.

STATE AUTO INSURANCE COMPANIES,
MILBANK INSURANCE COMPANY; and
DOES A-Z,

Defendants.

MEMORANDUM DECISION AND
ORDER

Case No. 4:21-cv-124

District Judge David Nuffer

Chief Magistrate Judge Dustin B. Pead

Plaintiff who is proceeding pro se move the court to seal the case. (ECF No. 93.) This is allegedly necessary because the parties are having a “communication problem” that cannot be disclosed to the public. Mtn. p. 1. The court will deny the motion.

As set forth in the Local Rules, “The records of the court are presumptively open to the public,” and sealing court documents is “highly discouraged.” DUCivR 5-3(a)(1). The right of access to judicial records, however, is not absolute. *Colony Ins. Co. v. Burke*, 698 F.3d 1222, 1241 (10th Cir. 2012). “[T]he presumption in favor of access to judicial records may be overcome where countervailing interests heavily outweigh the public interests in access.” *Id.* (internal quotation marks omitted). “The burden is on the party seeking to restrict access to show some significant interest that outweighs the presumption.” *Id.* (internal quotation marks omitted).

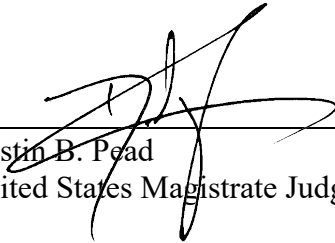
Plaintiff points to communication issues as a basis to seal this case. Plaintiff also argues there is use of a “SS trust”, that he has turned the alleged violations of service in this case to the FTC, and “defendants Michael E. Larraco used a fictitious name.” In addition,

Plaintiff makes references to alleged violations of the “RICCO act / laws” and attaches his land patent to the motion.

None of Plaintiff’s arguments support the sealing of this case. Plaintiff cites to no authority and the court has already rejected Plaintiff’s unsubstantiated arguments regarding service issues. The court finds Plaintiff fails to meet his burden to seal this case and therefore the motion is DENIED.

IT IS SO ORDERED.

DATED this 21 July 2023.



Dustin B. Pead
United States Magistrate Judge